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AT LYNCHBURG, VA
FILED

10/14/2022

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IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
CHARLOTTESVILLE DIVISION

UNITED STATES OF AMERICA

v.

MICHAEL WATKINS HAYER

CASE NO. **3:22CR00015-001**

VIOLATION: 21 U.S.C. 841(a)(1) and
(b)(1)(C) (Distribution of Fentanyl Resulting in
Death); 18 U.S.C. § 922(g)(1) (Possession of a
Firearm by a Prohibited Person)

INFORMATION

The United States Attorney charges:

COUNT ONE

***21 U.S.C. § 841(a)(1), (b)(1)(C)
Distribution of Fentanyl Resulting in Death***

On or about February 18, 2022, in the Western District of Virginia, the defendant, MICHAEL WATKINS HAYER, did knowingly and intentionally distribute a measurable quantity of a mixture or substance containing N-phenyl-N-[1-(2-phenylethyl)-4-piperidinyl] propanamide (Fentanyl), a Schedule II controlled substance, the use of which resulted in the serious bodily injury and death of Victim 1, in violation of 21 U.S.C. § 841(a)(1) and (b)(1)(C).

COUNT TWO

***18 U.S.C. § 922(g)(1)
Possession of a Firearm by a Prohibited Person***

On or about April 16, 2022, in the Western District of Virginia, the defendant, MICHAEL WATKINS HAYER, knowing that he had been convicted of a crime punishable by a imprisonment for a term exceeding one year, did knowingly possess a firearms, that is, a Ruger, Model SR9C, 9 millimeter handgun, a Palmetto, Model PA-15, .223 caliber rifle, and a Marlin, Model 60, .22 caliber rifle, said firearms having been shipped and transported in interstate commerce, in violation of Title 18, United States Code, Section 922(g)(1).

INFORMATION

FORFEITURE ALLEGATION

1. The allegations in Count One of this Information are realleged and by this reference fully incorporated herein for the purpose of alleging forfeiture.

2. Upon conviction of the offense alleged in Count One, the defendant, MICHAEL WATKINS HAYER, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any property constituting, or derived from, any proceeds he obtained, directly or indirectly, as a result of such violation; and any and all of his property used or intended to be used, in any manner or part, to commit or to facilitate the commission of such violation.

3. Upon conviction of the offense alleged in Count Two, the defendant, MICHAEL WATKINS HAYER, shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d) and Title 28, United States Code, Section 2461(c), any firearms and ammunition involved in or used in the knowing commission of the offense, including but not limited to:

- a. a Ruger, Model SR9C, 9 millimeter handgun, bearing serial number 333-78224, and any ammunition seized with the firearm;
- b. a Palmetto, Model PA-15, .223 caliber rifle, bearing serial number SCD594236, and any ammunition seized with the firearm; and
- c. a Marlin, Model 60, .22 caliber rifle, bearing serial number 14512648, and any ammunition seized with the firearm.

4. If any of the property described above, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;

- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

the defendant shall forfeit to the United States any other property of the defendant, up to the value of the property described above, pursuant to Title 21, United States Code, Section 853(p).

Dated: October 5 2022


CHRISTOPHER R. KAVANAUGH
UNITED STATES ATTORNEY